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	HARSCH INVESTMENT REALTY LLC, SERIES C; and JAMESTOWN HARSCH		
6	ALAMEDA TOWNE CENTRE, LP		
7	AN AMERICA COMPANIE		
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10			
11	CAROLYN MARTIN,	Case No. C-10-05195 JSW	
12	Plaintiff,	STIUPLATED REQUEST FOR DISMISSAL WITH PREJUDICE OF	
13	vs.	CROSS-COMPLAINT FILED BY DEFENDANTS HARSCH INVESTMENT	
14	KOHL'S DEPARTMENT STORES, INC.; HARSCH INVESTMENT REALTY LLC,	REALTY LLC, SERIES C AND JAMESTOWN HARSCH ALAMEDA	
15	SERIES C; JAMESTOWN HARSCH ALAMEDA TOWNE CENTRE, LP, a	TOWNE CENTRE, LP;	
16	Delaware Limited Partnership; and DOES	[PROPOSED] ORDER GRANTING	
17	1-25, inclusive,	DISMISSAL WITH PREJUDICE	
18	Defendants.	Complaint Filed: November 16, 2010	
19	AND RELATED CROSS-ACTION.		
20			
21			
22	Defendant and Cross-Defendant Kohl's Department Stores, Inc. ("Kohl's"), and		
23	Defendants and Cross-Complainants Harsch Investment Realty LLC, Series C ("Harsch"), and		
24	Jamestown Harsch Alameda Towne Centre, LP ("Jamestown") (collectively "Defendants"),		
25	stipulate and agree through their respective counsel, and hereby request the Court to dismiss the		
26	cross-action filed by Harsch and Jamestown against Kohl's with prejudice pursuant to Federal		
27	Rule of Civil Procedure 41(a)(2), with each party to bear its own costs, attorneys' fees, and other		
28	expenses arising from or relating to the cross-complaint.		
LLP 7th Floor 104	STIPULATED REQUEST FOR DISMISSAL WITH PREJUDICE C-10-05195 JSW	26282\335732	

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1	IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.	
2	Dated: October 30, 2012	FARELLA BRAUN + MARTEL LLP
3		
4		By: /s/ Adam C. Dawson Adam C. Dawson
5	I represent that concurrence in the filing of this document has been obtained from each of the	
6	other signatories which shall serve in lieu of their signatures on this document.	Attorneys for Defendants and Cross-Complainants
7		HARSCH INVESTMENT REALTY LLC, SERIES C, and JAMESTOWN HARSCH
8		ALAMEDA TOWNE CENTRE, LP
9	Dated: October 30, 2012	K&L GATES LLP
10		
11		By: /s/ Timothy L. Pierce Timothy L. Pierce
12		•
13		Attorneys for Defendants and Cross- Defendants
14		KOHL'S DEPARTMENT STORES, INC.
15		
16	PURSUANT TO STIPULATION, IT IS SO ORDERED.	
17		
18	Dated: October 31 , 2012	
19		When Startes
20		The Hodgrible Jeffrey S. White United States District Judge
21		Owned States District Judge
22		
23		
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STIPULATED REQUEST FOR DISMISSAL

WITH PREJUDICE -- C-10-05195 JSW